



Alternative Sentencing Social Workers

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Kentucky Public Advocate

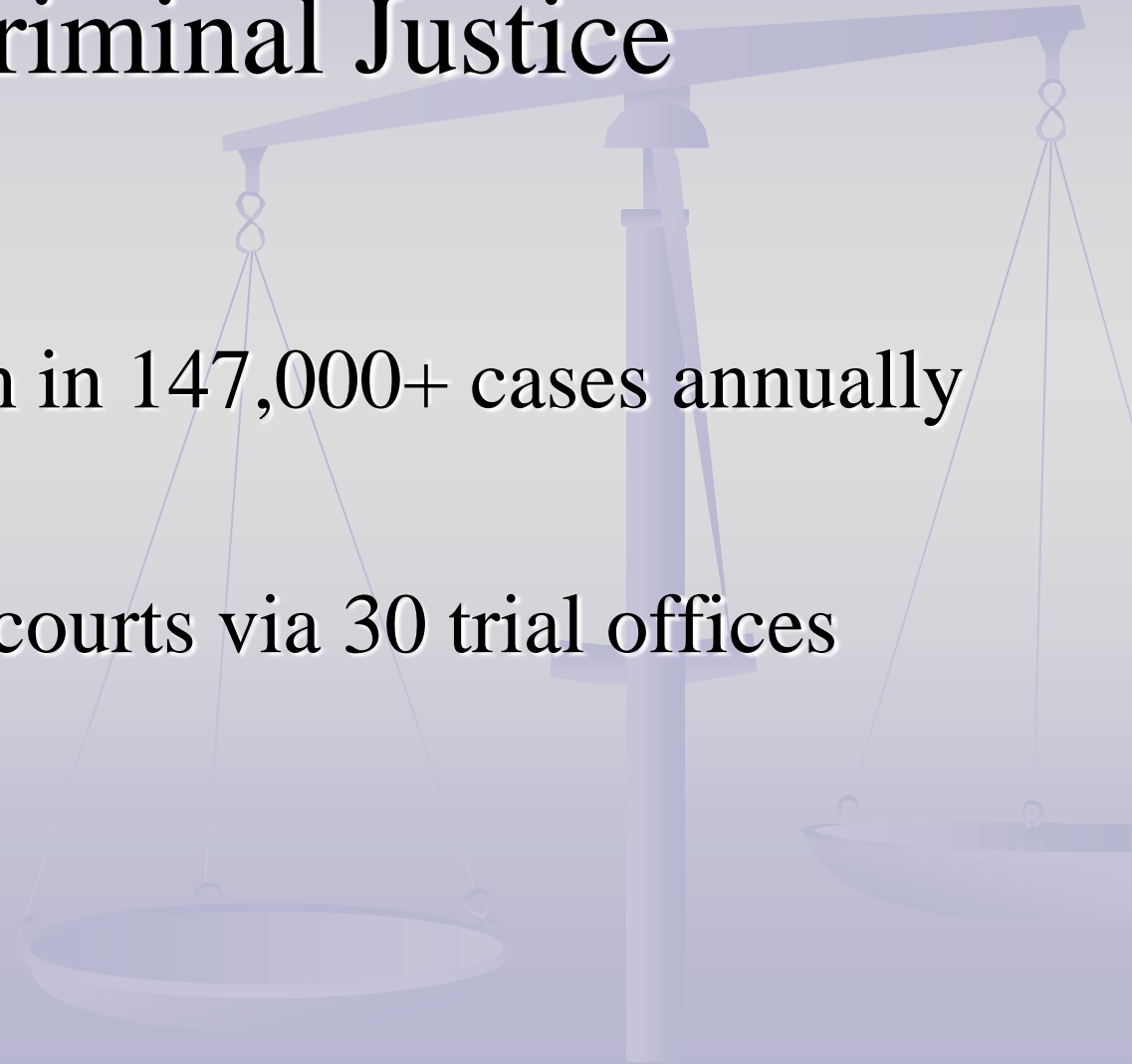
Interim Joint Committee on Judiciary

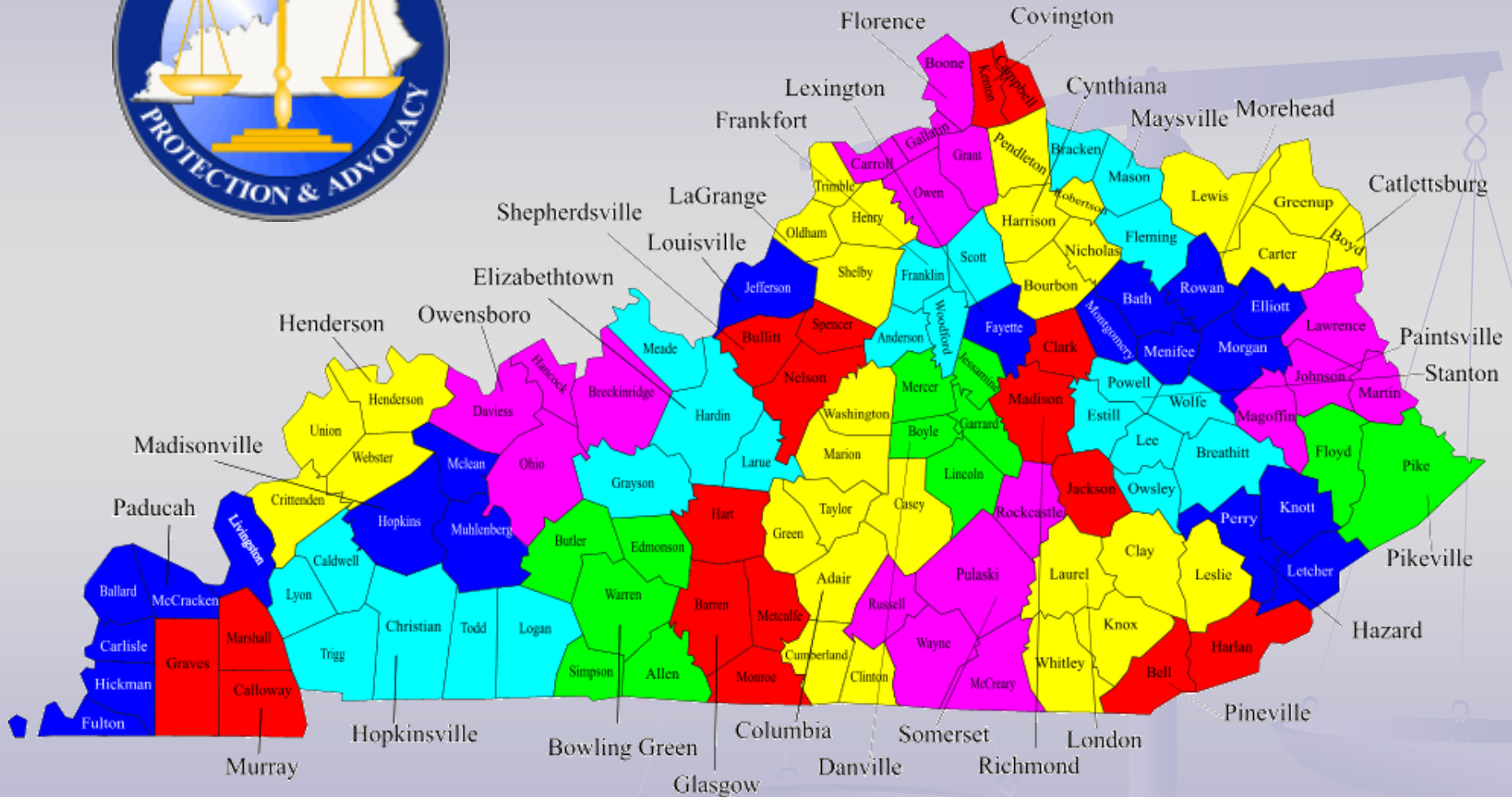
July 14, 2010

Frankfort KY

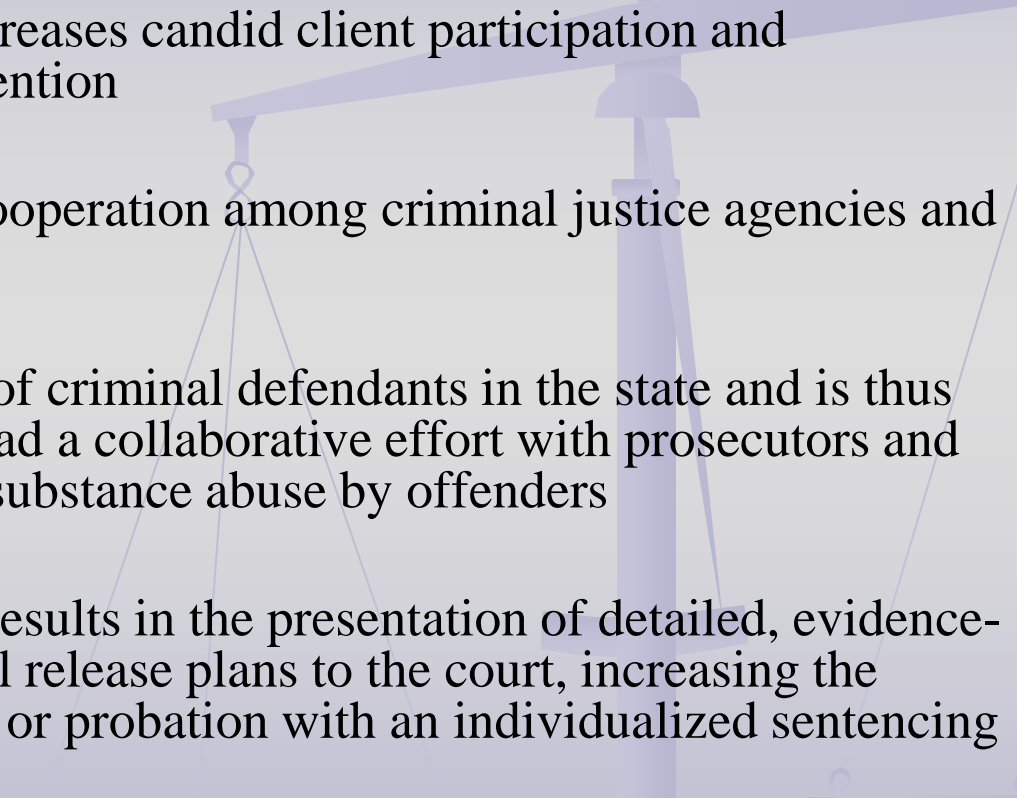
The Scope of DPA Involvement in KY Criminal Justice

- Representation in 147,000+ cases annually
- 120 counties
- All Kentucky courts via 30 trial offices







Uniquely able to guide offenders into effective treatment

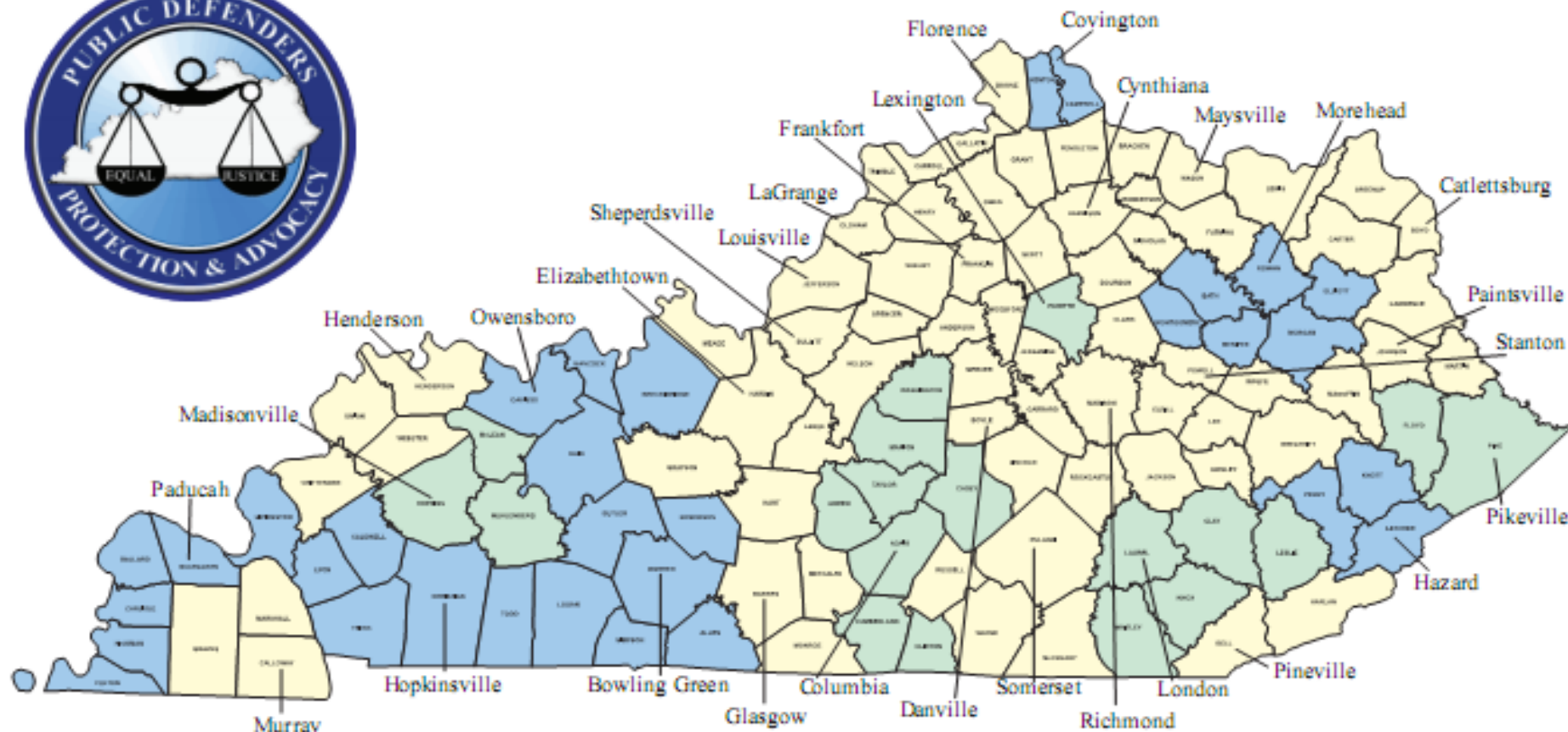
- 1) Attorney-client privilege increases candid client participation and effectiveness of early intervention
 - 2) Improve coordination and cooperation among criminal justice agencies and treatment providers
 - 3) Represent the vast majority of criminal defendants in the state and is thus particularly well-suited to lead a collaborative effort with prosecutors and probation/parole to address substance abuse by offenders
 - 4) Intervention early in a case results in the presentation of detailed, evidence-based sentencing and pretrial release plans to the court, increasing the likelihood of pretrial release or probation with an individualized sentencing plan
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Alternative Sentencing Social Workers

 **Current DPA Social Worker**
Social Worker

 Grant Funded DPA
Social Worker

☐ No DPA
Social Worker



Alternative Sentencing Social Worker



Provides judges

- relevant mitigating information about defendant's physical and mental health, social history
- resources available in the community
- positive alternatives to incarceration

Diverts persons

- services and treatment to successfully transition into their communities and become productive citizens

Saves incarceration costs

- diverting persons with addiction, mental illness and juveniles to community-based treatment

Reduces recidivism

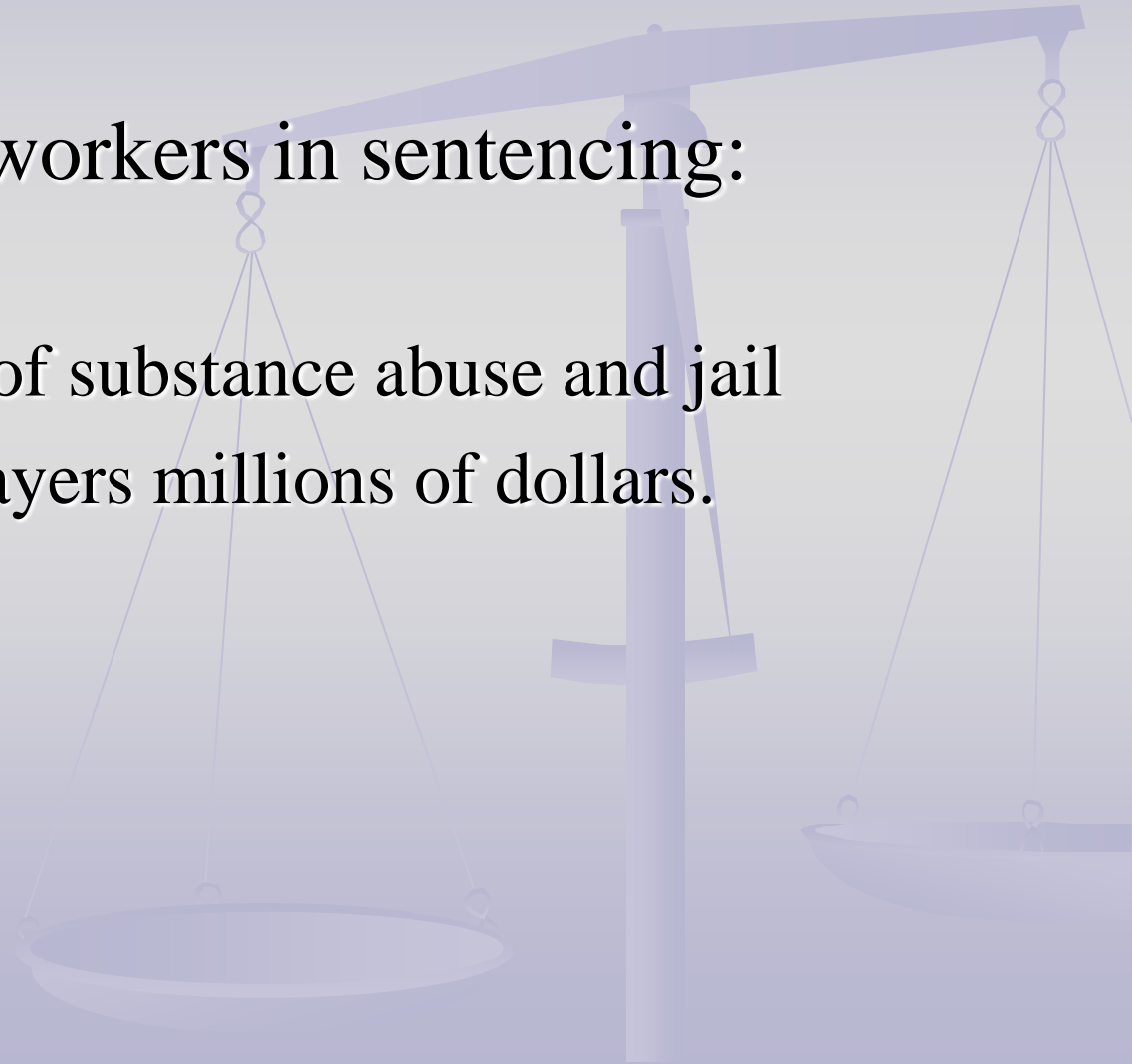
- 18% recidivism after 6 months

Increases client's economic self sufficiency

- working, paying taxes, providing child support, restitution, court costs

Positive, Lasting Change

- Involving social workers in sentencing:
 - changes lives
 - breaks the cycle of substance abuse and jail
 - AND saves taxpayers millions of dollars.



What a DPA Social Worker Does

Pre-sentencing

- Conduct bio-psycho-social assessment
 - Social worker conducts mental health and substance abuse assessments to identify and arrange for services which meet the client's particular needs that also includes:
 - Housing
 - Medical
 - Childcare
 - GED
 - Job training
- Conduct motivational interviewing with client to increase buy-in and likelihood of success
- Request and obtain records
- Identify treatment and resources
- Interview client's family

What a DPA Social Worker Does

Sentencing

- Help present client to judge as a person amenable to alternative sentence
- Prepare alternative sentencing plan for attorney to present to judge
- Develop re-entry support plans
- Assist attorney, communicate to judge, commonwealth attorney, probation and parole officers

What a DPA Social Worker Does

Post-sentencing

- Arrange for client to be accepted into and attend treatment
- Assist client in establishing positive support systems
- Support client and family
- Work with provider to obtain services
- Work with the client until 6 months following disposition of case or until the client is stable.

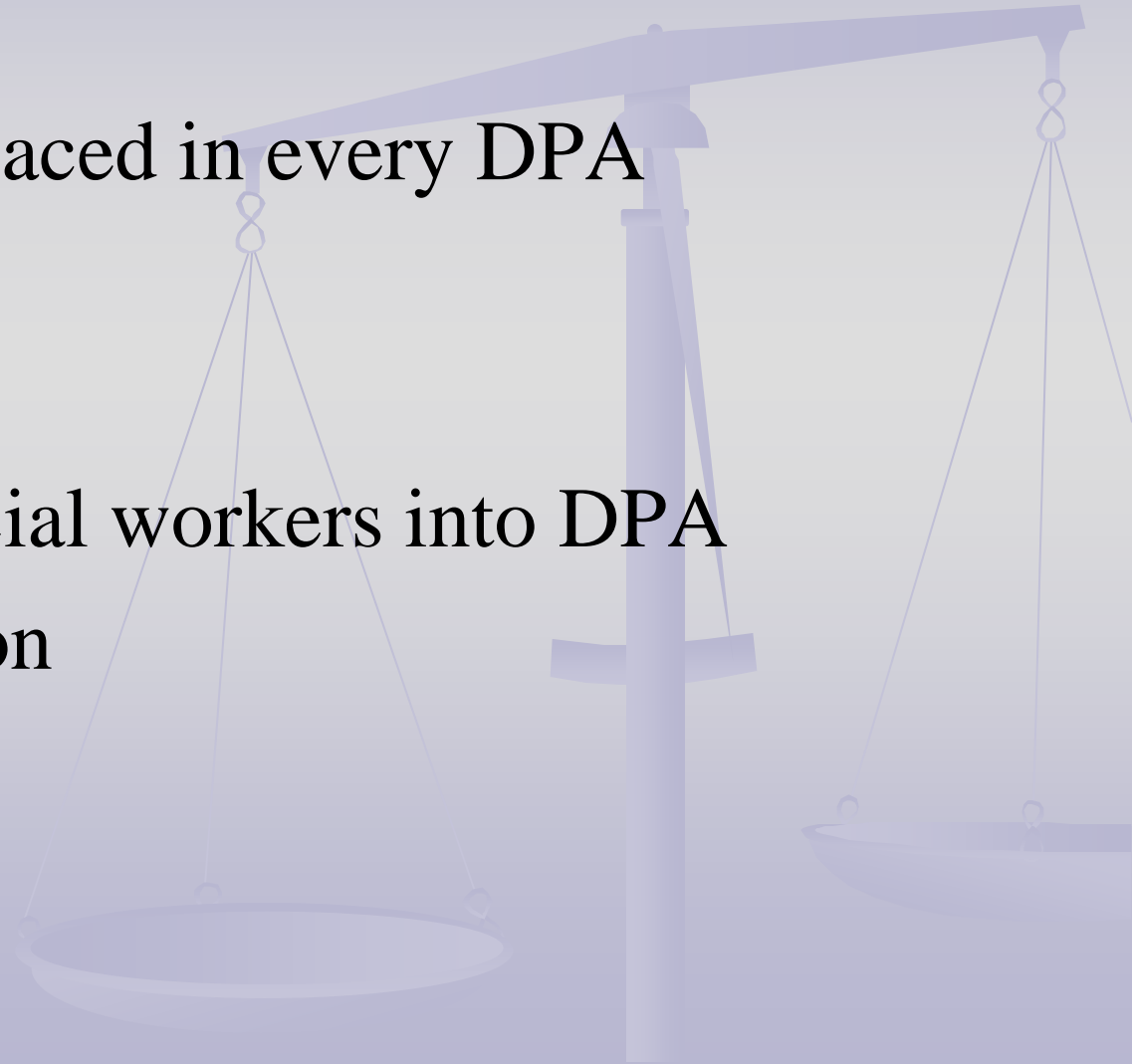
The Savings

- 10,000 days of incarceration saved by each social worker
- The program's net annual savings was \$290,508
- For \$1.00 invested in alternative sentencing social workers, the state saved \$3.25 of incarceration costs for a net \$2.25
- **Projected savings for state-wide implementation is estimated to be \$3.1 million per year**
- Likely more – out year savings – Commonwealth may not pay for treatment

Potential

additional savings to state and local governments

- Social workers placed in every DPA
Trial Office
- Incorporating social workers into DPA
Post-Trial Division



National Center for State Courts

Sentencing Attitudes Survey

2006 national poll of 1,502 randomly selected adults

Major findings

#2- Americans think rehabilitation is a more important priority than punishment and overwhelmingly believe that many offenders can, in fact, be successfully rehabilitated. But most see America's prisons as unsuccessful at rehabilitation.

#4 - High levels of public support are found for alternatives to a prison sentence like probation, restitution, and mandatory participation in job training, counseling, or treatment programs, at least for non-violent offenders. The public is particularly receptive to using such alternatives in sentencing younger offenders and the mentally ill.

Positive, Lasting Change

Alternative Sentencing Social Workers can accomplish positive, lasting change for the criminal justice system in Kentucky.

